

FEDERAL COMMUNICATIONS COMMISSION

CLASS OF STATION FM

VFA

The following application is submitted for action by the Chief, Broadcast Bureau.

ST	FILE NUMBER	CALL	APPLICANT AND LOCATION	NATURE OF APPLICATION
CA	BPH -910225MG N/M	NEW 93.5MHZ	ROSAMOND RADIO, INC. ROSAMOND CA	CP FOR NEW FM ON: FREQUENCY: 93.5 MHZ., ERP: 3.0 H&V, HAAT: 91 METERS H&V, 34 52 44 118 16 07

LICENSE EXPIRATION DATE _____

CHIEF, LICENSE DIVISION

RECOMMENDATION: GRANT() CONSTRUCTION DATES, START _____ END _____
 CONTESTED () UNCONTESTED ()

APPROVED _____

FOR CHIEF, BROADCAST BUREAU

F.C.C.-WASHINGTON, D.C.

Arent Fox Kintner Plotkin & Kahn

ORIGINAL

Daniel F. Van Horn
202/857-6030

February 22, 1991

Ms. Donna Searcy, Secretary
Federal Communications Commission
Washington, D.C. 20554

Dear Ms. Searcy:

Enclosed on behalf of Rosamond Radio, Inc. are an original and two copies of FCC Forms 301 and 396-A, which together constitute an application for construction permit for a new FM station to operate on Channel 228A (93.5 MHz) in Rosamond, California. Also enclosed is a check, made payable to "Federal Communications Commission", in the amount of \$2,030.00, which is the Commission's filing fee for this application.

This application is being filed pursuant to the Commission's Report and Order in MM Docket No. 89-344 (RM-6674, RM-7157), which established January 24, 1991 - February 25, 1991 as the window filing period for this channel. See 5 FCC Rcd. 7408 (1990).

I also call your attention to the fact that a copy of the enclosed application is being submitted on this date to the Federal Communications Commission in Washington, D.C. in accordance with the "time-sensitive" procedures set forth at paragraph 14 of the FCC's Memorandum Opinion and Order in General Docket No. 86-285.

Please contact me if there are any questions about this application.

1050 Connecticut Avenue, NW
Washington, DC 20036-5339

Telephone: 202/857-6000
Cable: ARFOX
Telex: WU 892672
ITT 440266
Facsimile: 202/857-6395

7475 Wisconsin Avenue
Bethesda, Maryland 20814-3413

8000 Towers Crescent Drive
Vienna, Virginia 22182-2733

RECEIVED

FEB 27 1991

FBI EXAM

Sincerely,

Daniel F. Van Horn

Daniel F. Van Horn

Enclosures

FEDERAL COMMUNICATIONS COMMISSION
FEE PROCESSING FORM

ORIGINAL
FCC/MELLON FEB 25 1991
02-25-91 8195531 005

Please read instructions on back of this form before completing it. Section I MUST be completed. If you are applying for concurrent actions which require you to list more than one Fee Type Code, you must also complete Section II. This form must accompany all payments. Only one Fee Processing Form may be submitted per application or filing. Please type or print legibly. All required blocks must be completed or application/filing will be returned without action.

SECTION I

APPLICANT NAME (Last, first, middle initial)
ROSAMOND RADIO, INC.

ORIGINAL

MAILING ADDRESS (Line 1) (Maximum 85 characters - refer to Instruction (2) on reverse of form)
c/o Dan Van Horn; Arent, Fox

MAILING ADDRESS (Line 2) (if required) (Maximum 85 characters)
1050 Connecticut Ave, N.W., 6th Fl

CITY
Washington

STATE OR COUNTRY (if foreign address)
D.C.

ZIP CODE
20036

CALL SIGN OR OTHER FCC IDENTIFIER (if applicable)
228A

Enter in Column (A) the correct Fee Type Code for the service you are applying for. Fee Type Codes may be found in FCC Fee Filing Guides. Enter in Column (B) the Fee Multiple, if applicable. Enter in Column (C) the result obtained from multiplying the value of the Fee Type Code in Column (A) by the number entered in Column (B), if any.

(A)	(B)	(C)								
FEE TYPE CODE	FEE MULTIPLE (if required)	FEE DUE FOR FEE TYPE CODE IN COLUMN (A)	FOR FCC USE ONLY							
(1) <table border="1"><tr><td>M</td><td>T</td><td>R</td></tr></table>	M	T	R	<table border="1"><tr><td></td><td></td><td></td><td>1</td></tr></table>				1	\$ 2,030.00	
M	T	R								
			1							

SECTION II — To be used only when you are requesting concurrent actions which result in a requirement to list more than one Fee Type Code.

(A)	(B)	(C)									
FEE TYPE CODE	FEE MULTIPLE (if required)	FEE DUE FOR FEE TYPE CODE IN COLUMN (A)	FOR FCC USE ONLY								
(2) <table border="1"><tr><td></td><td></td><td></td></tr></table>				<table border="1"><tr><td></td><td></td><td></td><td></td></tr></table>					<table border="1"><tr><td>\$</td></tr></table>	\$	
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\$											

ADD ALL AMOUNTS SHOWN IN COLUMN C, LINES (1) THROUGH (5), AND ENTER THE TOTAL HERE. THIS AMOUNT SHOULD EQUAL YOUR ENCLOSED REMITTANCE.

TOTAL AMOUNT REMITTED
WITH THIS APPLICATION
OR FILING
\$ 2,030.00

FOR FCC USE ONLY
2030.00

INSTRUCTIONS FOR COMPLETING FEE PROCESSING FORM, FCC FORM 155, May 1990

- (1) **"Applicant Name"** - Enter the name (last, first, middle initial) of the applicant as it appears on the original application or filing being submitted with this Fee Processing Form. If company, enter name which is used commercially.
- (2) **"Mailing Address (Line 1)"** - Enter the street address or post office box number to which the applicant wishes correspondence sent.
- (3) **"Mailing Address (Line 2)"** - This line may be used for further identification of the address if additional space is required.
- (4) **"City"** - Enter the name of the city associated with the given street address.
- (5) **"State or Country"** - Enter the appropriate two-digit state abbreviation as prescribed by the U.S. Postal Service. If address is foreign, enter the appropriate country name here.
- (6) **"ZIP Code"** - Enter the appropriate five or nine-digit ZIP code prescribed by the U.S. Postal Service.
- (7) **"Call Sign or Other FCC Identifier"** - Enter an applicable call sign or unique FCC identifier, if any, as shown on your attached application or filing. If applying for a service affecting more than one call sign, enter one call sign only.
- (8) **Column (A), "Fee Type Code"** - Enter correct Fee Type Code(s) from the appropriate Fee Filing Guide. Only one Fee Processing Form may be submitted per application or filing. Inaccurate or erroneous Fee Type Codes may result in your application or filing being returned to you without further processing.
- (9) **Column (B), "Fee Multiple"** - Certain applications and filings may request action with respect to more than one station, license, frequency, or party and can be submitted together with one check if they meet specific conditions. This column is used only if a multiple, i.e., two or more, is being applied for. Examples of when this would be used are renewing more than one call sign, frequency, station, or the transfer of control of more than one station. Refer to the appropriate Fee Filing Guide for additional information.
- (10) **Column (C), "Fee Due For Fee Type Code in Column (A)"** - Enter in this block the amount of the fee associated with the Fee Type Code shown in Column (A) (times (x) the fee multiple, if required).
- (11) **"Total Amount Remitted With This Application or Filing"** - Enter the total of lines (1) through (5) of Column (C). This amount should equal the amount of your check or money order. We will not accept multiple checks.

HOW TO SUBMIT APPLICATIONS AND FILINGS

o Each application or filing should be assembled with the Fee Processing Form stapled to the top of the application with the check placed on top of the Fee Processing Form. **DO NOT STAPLE THE CHECK TO THE APPLICATION OR FEE PROCESSING FORM.** Required copies of applications should be clearly identified as "duplicate copy" and placed behind the original package. A copy of an application or filing submitted for receipt purposes only should be placed at the bottom of the submission. Extraneous material and extra copies should be avoided at all times. Failure to abide by these instructions will delay the processing of your submission.

o Completed applications or filings should be mailed to the proper address shown in the Fee Filing Guide for the particular service for which you are applying or making a filing. Applications and filings which are properly addressed to the appropriate P.O. box number may also be hand delivered to the following address. Applications received before midnight on a normal business day will receive that day's date as the receipt date. Deliveries made after midnight on Fridays will not be "officially" receipted until the next Monday. Applications received on weekends and government holidays are dated the next regular business day.

Federal Communications Commission
c/o Mellon Bank
Three Mellon Bank Center
525 William Penn Way
27th Floor, Rm. 153-2713
Pittsburgh, Pennsylvania
(Attention: Wholesale Lockbox Shift Supervisor)

o A single check, bank draft or money order made payable to the Federal Communications Commission and denominated in U.S. dollars and drawn upon a U.S. financial institution must be included with each application or filing requiring a fee. No postdated, altered or third-party checks will be accepted. Do not send cash.

o Parties hand delivering applications or filings may receive dated receipt copies by presenting copies of the applications or filings to the acceptance clerk at the time of delivery. Receipts will be provided for mail-in applications or filings if an extra copy of the application or filing is provided along with a self-addressed stamped envelope. Only one piece of paper per application or filing will be stamped for receipt purposes.

REMEMBER

o A separate completed Fee Processing Form is required with each application or filing except in certain circumstances. Please refer to the appropriate Fee Filing Guide for additional information.

o A wrong Fee Type Code or incorrect remittance may result in your application or filing being returned without processing, or result in the dismissal of your application or filing. Please ensure that FEE TYPE CODES are correct and that your check or money order equals the amount shown in the TOTAL AMOUNT REMITTED WITH THIS APPLICATION OR FILING block before submitting your application or filing.

o If you have any questions completing this form, please call the Fees Hotline, 202/632-FEES.

FCC NOTICE FOR INDIVIDUALS REQUIRED BY THE PRIVACY ACT AND THE PAPERWORK REDUCTION ACT

Part 1, Subpart G of the Commission's rules authorize the FCC to request the information on this form. The information requested is required in order to obtain a license or authorization from the Commission. The purpose of the information is to provide a means to link a fee payment to a specific invoice, application or filing. The information will be used by the Commission to maintain data concerning fees paid to the Commission, for internal financial control, audit, and reporting purposes. Information requested on this form will be available to the public. Your response is required to obtain a license or other authorization from the Commission.

Public reporting burden for this collection of information is estimated to average 10 minutes per response, including the time for reviewing instructions, searching data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Federal Communications Commission, Office of Managing Director, Washington, DC 20554, and to the Office of Management and Budget, Paperwork Reduction Project (3060-0440), Washington, DC 20503.

APPLICATION FOR CONSTRUCTION PERMIT FOR COMMERCIAL BROADCAST STATION

For COMMISSION Fee Use Only

FEE NO:

FEE TYPE:

FEE AMT:

ID SEQ:

For APPLICANT Fee Use Only

Is a fee submitted with this application?

☒ Yes ☐ No

If fee exempt (see 47 C.F.R. Section 1.1112), indicate reason therefor (check one box):

☐ Noncommercial educational licensee

☐ Governmental entity

FOR COMMISSION USE ONLY

FILE NO.

BPH - 910225MG

Section I - GENERAL INFORMATION

1. Name of Applicant ROSAMOND RADIO, INC.		
Street Address or P.O. Box 2818 Gus Court		
City Lancaster	State CA	ZIP Code 93536
Telephone No. (include Area Code) 805-949-0012		

Send notices and communications to the following person at the address below:		
Name P. DALE WARE, PhD.*		
Street Address or P.O. Box 2818 Gus Court		
City Lancaster	State CA	ZIP Code 93536
Telephone No. (include Area Code) 805-949-0012		

2. This application is for:

☐ AM

☒ FM

☐ TV

(a) Channel No. or Frequency

228A/93.5 mhz

(b) Principal Community

City

State

Rosamond

CA

(c) Check one of the following boxes:

☒ Application for NEW station

☐ MAJOR change in licensed facilities; call sign: _____

☐ MINOR change in licensed facilities; call sign: _____

☐ MAJOR modification of construction permit; call sign: _____

File No. of construction permit: _____

☐ MINOR modification of construction permit; call sign: _____

File No. of construction permit: _____

☐ AMENDMENT to pending application; Application file number: _____

NOTE: It is not necessary to use this form to amend a previously filed application. Should you do so, however, please submit only Section I and those other portions of the form that contain the amended information.

93.5MHZ

Is this application mutual BPH -910225MG NEW

☐ Yes ☒ No

If Yes, state:

ROSAMOND
Call: ROSAMOND RADIO, INC. CA

State

* Copies to: Daniel F. Van Horn, Esq.; Arent, Fox, Kintner, Plotkin & Kahn;
1050 Connecticut Avenue, N.W., Washington, D.C. 20036

Section II - LEGAL QUALIFICATIONS

Name of Applicant

ROSAMOND RADIO, INC.

1. Applicant is: (check one box below)

☐ Individual☐ General partnership☒ For-profit corporation☐ Other☐ Limited partnership☐ Not-for-profit corporation

2. If the applicant is an unincorporated association or a legal entity other than an individual, partnership, or corporation, describe in an Exhibit the nature of the application.

Exhibit No.
DNA

NOTE: The terms "applicant," "parties to this application," and "non-party equity owners in the applicant" are defined in the instructions for Section II of this form. Complete information as to each "party to this application" and each "non-party equity owner in the applicant" is required. If the applicant considers that to furnish complete information would pose an unreasonable burden, it may request that the Commission waive the strict terms of this requirement with appropriate justification.

3. If the applicant is not an individual, provide the date and place of filing of the applicant's enabling charter (e.g., a limited partnership must identify its certificate of limited partnership and a corporation must identify its articles of incorporation by date and place of filing):

Date February, 1991Place California Secty. of State
Sacramento, Calif.

In the event there is no requirement that the enabling charter be filed with the state, the applicant shall include the enabling charter in the applicant's public inspection file. If, in the case of a partnership, the enabling charter does not include the partnership agreement itself, the applicant shall include a copy of the agreement in the applicant's public inspection file.

4. Are there any documents, instruments, contracts or understandings (written or oral), other than instruments identified in response to Question 3 above, relating to future ownership interests in the applicant, including but not limited to, insulated limited partnership shares, nonvoting stock interests, beneficial stock ownership interests, options, rights of first refusal, or debentures?

☒ Yes ☐ No

If Yes, submit as an Exhibit all such written documents, instruments, contracts, or understandings, and provide the particulars of any oral agreement.

Exhibit No.
II-A

5. Complete, if applicable, the following certifications:

(a) Applicant certifies that no limited partner will be involved in any material respect in the management or operation of the proposed station.

☐ Yes ☐ No
DNA

If No, applicant must complete Question 6 below with respect to all limited partners actively involved in the media activities of the partnership.

(b) Does any investment company (as defined in 15 U.S.C. Section 80 a-31), insurance company, or trust department of any bank have an aggregated holding of greater than 5% but less than 10% of the outstanding votes of the applicant?

☐ Yes ☒ No

If Yes, applicant certifies that the entity holding such interest exercises no influence or control over the applicant, directly or indirectly, and has no representatives among the officers and directors of the applicant.

☐ Yes ☐ No
DNA

Section II - LEGAL QUALIFICATIONS (Page 2)

6. List the applicant, parties to the application and non-party equity owners in the applicant. Use one column for each individual or entity. Attach additional pages if necessary.

(Read carefully - The numbered items below refer to line numbers in the following table.)

1. Name and residence of the applicant and, if applicable, its officers, directors, stockholders, or partners (if other than individual also show name, address and citizenship of natural person authorized to vote the stock). List the applicant first, officers next, then directors and, thereafter, remaining stockholders and partners.

2. Citizenship.

3. Office or directorship held.

4. Number of shares or nature of partnership interests.

5. Number of votes.

6. Percentage of votes.

7. Other existing attributable interests in any broadcast station, including the nature and size of such interests.

8. All other ownership interests of 5% or more (whether or not attributable, as well as any corporate officership or directorship, in broadcast, cable, or newspaper entities in the same market or with overlapping signals in the same broadcast service, as described in 47 C.F.R. Section 73.3525 and 73.3531, including the nature and size of such interests and the positions held.

1	Rosamond Radio, Inc., 2818 Gus Court Lancaster, CA 93536	P. Dale Ware, PhD., 2818 Gus Court Lancaster, CA 93536	Patricia G. Ware 2818 Gus Court Lancaster, CA 93536
2	US (California) Corporation	U.S.	U.S.
3	DNA	President/Director	Secretary/Treasurer/Director
4	DNA	30	30
5	DNA	30	30
6	DNA	30%	30%
7	None	See Exhibit II-B	See Exhibit II-B
8	None	None	None

Section II - LEGAL QUALIFICATIONS (Page 2)

6. List the applicant, parties to the application and non-party equity owners in the applicant. Use one column for each individual or entity. Attach additional pages if necessary.

(Read carefully - The numbered items below refer to line numbers in the following table.)

1. Name and residence of the applicant and, if applicable, its officers, directors, stockholders, or partners (if other than individual also show name, address and citizenship of natural person authorized to vote the stock). List the applicant first, officers next, then directors and, thereafter, remaining stockholders and partners.

2. Citizenship.

3. Office or directorship held.

4. Number of shares or nature of partnership interests.

5. Number of votes.

6. Percentage of votes.

7. Other existing attributable interests in any broadcast station, including the nature and size of such interests.

8. All other ownership interests of 5% or more (whether or not attributable), as well as any corporate officership or directorship, in broadcast, cable, or newspaper entities in the same market or with overlapping signals in the same broadcast service, as described in 47 C.F.R. Section 73.3555 and 73.501, including the nature and size of such interests and the positions held.

1	Salvador D. Martinez 3249 Monte Carlo Court Lancaster, CA 93536		
2	U.S.		
3	Vice President/Director		
4	40		
5	40		
6	40%		
7	None		
8	None		

Section II - LEGAL QUALIFICATIONS (Page 3)

7. Does the applicant, any party to the application or any non-party equity owner in the applicant have, or have they had, any interest in:

(a) a broadcast station, or pending broadcast station application before the Commission?

☒ Yes ☐ No

(b) a broadcast application which has been dismissed with prejudice by the Commission?

☐ Yes ☒ No

(c) a broadcast application which has been denied by the Commission?

☐ Yes ☒ No

(d) a broadcast station, the license of which has been revoked?

☐ Yes ☒ No

(e) a broadcast application in any pending or concluded Commission proceeding which left unresolved character issues against the applicant?

☐ Yes ☒ No

If the answer to any of the questions in (a)-(e) above is Yes, state in an Exhibit the following information:

Exhibit No.
II-B

(1) Name of party having interest;

(2) Nature of interest or connection, giving dates;

(3) Call letters of stations or file number of application or docket; and

(4) Location.

8. (a) Are any of the parties to the application or non-party equity owners in the applicant related (as husband, wife, father, mother, brother, sister, son or daughter) to each other?

☒ Yes ☐ No

(b) Does any member of the immediate family (i.e., husband, wife, father, mother, brother, sister, son or daughter) of any party to the application or non-party equity owner in the applicant have any interest in or connection with any other broadcast station, pending broadcast application or newspaper in the same area (see Section 73.3555(c)) or, in the case of a television station applicant only, a cable television system in the same area (see Section 76.501(a))?

☒ Yes ☐ No

If the answer to (a) or (b) above is Yes, attach an Exhibit giving full disclosure concerning the persons involved, their relationship, the nature and extent of such interest or connection, the file number of such application, and the location of such station or proposed station.

Exhibit No.
II-B

9. State in an Exhibit any interest the applicant or any party to this application proposes to divest in the event of a grant of this application.

Exhibit No.
II-B

OTHER MASS MEDIA INTERESTS

10. (a) Do individuals or entities holding nonattributable interests of 5% or more in the applicant have an attributable ownership interest or corporate officership or directorship in a broadcast station, newspaper or CATV system in the same area? (See Instruction 8 to Section 11.)

☐ Yes ☒ No

(b) Does any member of the immediate family (i.e., husband, wife, father, mother, brother, sister, son or daughter) of an individual holding a nonattributable interest of 5% or more in the applicant have any interest in or connection with any other broadcast station, pending broadcast application, newspaper in the same area (see Section 73.3555(c)), or, in the case of a television station applicant only, a cable television system in the same area (see Section 76.501(a))?

☐ Yes ☒ No

If the answer to (a) and/or (b) above is Yes, attach an Exhibit giving a full disclosure concerning the persons involved, their relationship, the nature and extent of such interest or connection, the file number of such application, and the location of such station or proposed station.

Exhibit No.
DNA

Section II - LEGAL QUALIFICATIONS (Page 4)

CITIZENSHIP AND OTHER STATUTORY REQUIREMENTS

11. (a) Is the applicant in violation of the provisions of Section 310 of the Communications Act of 1934, as amended, relating to interests of aliens and foreign governments? (See Instruction C to Section 11.)

☐ Yes ☒ No

- (b) Will any funds, credits or other financial assistance for the construction, purchase or operation of the station(s) be provided by aliens, foreign entities, domestic entities controlled by aliens, or their agents?

☐ Yes ☒ No

If the answer to (b) above is Yes, attach an Exhibit giving full disclosure concerning this assistance.

Exhibit No.
DNA

12. (a) Has an adverse finding been made or an adverse final action been taken by any court or administrative body as to the applicant, any party to this application, or any non-party equity owner in the applicant in a civil or criminal proceeding brought under the provisions of any law related to the following:

Any felony; broadcast related antitrust or unfair competition; criminal fraud or fraud before another governmental unit; or discrimination?

☐ Yes ☒ No

- (b) Is there now pending in any court or administrative body any proceeding involving any of the matters referred to in (a) above?

☐ Yes ☒ No

If the answer to (a) and/or (b) above is Yes, attach an Exhibit giving full disclosure concerning persons and matters involved, including an identification of the court or administrative body and the proceeding (by dates and file numbers), a statement of the facts upon which the proceeding is or was based or the nature of the offense alleged or committed, and a description of the current status or disposition of the matter.

Exhibit No.
DNA

SECTION III - FINANCIAL QUALIFICATIONS

NOTE: If this application is for a change in an operating facility do not fill out this section.

1. The applicant certifies that sufficient net liquid assets are on hand or that sufficient funds are available from committed sources to construct and operate the requested facilities for three months without revenue.

☒ Yes ☐ No

2. State the total funds you estimate are necessary to construct and operate the requested facility for three months without revenue.

\$221,070.00

3. Identify each source of funds, including the name, address, and telephone number of the source (and a contact person if the source is an entity), the relationship (if any) of the source to the applicant, and the amount of funds to be supplied by each source.

Source of Funds (Name and Address)	Telephone Number	Relationship	Amount
Paul D. Ware 11150 Highview Drive Alto Loma, CA 91701	714-948-1122	Father of P. Dale Ware	\$300,000.00

Section IV-A - PROGRAM SERVICE STATEMENT

Attach as an Exhibit, a brief description, in narrative form, of the planned programming service relating to the issues of public concern facing the proposed service area.

Exhibit No.
IV-A

Section IV-B - INTEGRATION STATEMENT

Attach as an Exhibit the information required in 1 and 2 below.

Exhibit No.
IV-B

- 1 List each principal of the applicant who, in the event of a grant of the application on a comparative basis proposes to participate in the management of the proposed facility and, with respect to each such principal, state whether he or she will work full-time (minimum 40 hours per week) or part-time (minimum 20 hours per week) and briefly describe the proposed position and duties.
- 2 State with respect to each principal identified in response to Item 1 above, whether the applicant will claim qualitative credit for any of the following enhancement factors:
 - (a) Minority Status
 - (b) Past Local Residence
If Yes, specify whether in the community of license or service area and the corresponding dates.
 - (c) Female Status
 - (d) Broadcast Experience
If Yes, list each employer and position and corresponding dates.
 - (e) Daytime Preference

Section V-B - FM BROADCAST ENGINEERING DATA

FOR COMMISSION USE ONLY

File No. _____

ASB Referral Date _____

Referred by _____

Name of Applicant

ROSAMOND RADIO, INC.

Call letters (if issued)

Not applicable

Is this application being filed in response to a window? ☒ Yes ☐ No

If Yes, specify closing date: February 25, 1991

New Application

Purpose of Application: (check appropriate boxes)

☒ Construct a new (main) facility

☐ Construct a new auxiliary facility

☐ Modify existing construction permit for main facility

☐ Modify existing construction permit for auxiliary facility

☐ Modify licensed main facility

☐ Modify licensed auxiliary facility

If purpose is to modify, indicate below the nature of change(s) and specify the file number(s) of the authorizations affected.

☐ Antenna supporting-structure height

☐ Effective radiated power

☐ Antenna height above average terrain

☐ Frequency

☐ Antenna location

☐ Class

☐ Main Studio location

☐ Other (Specify briefly)

File Number(s) _____

1. Allocation:

Channel No.	Principal community to be served:		
	City	County	State
228	Rosamond	Kern	CA

Class (check only one box below)

☒ A ☐ B1 ☐ B ☐ C3

☐ C2 ☐ C1 ☐ C

2 Exact location of antenna.

(a) Specify address, city, county and state. If no address, specify distance and bearing relative to the nearest town or landmark.

Willow Springs Butte, 3 kilometers north of Willow Springs Raceway

(b) Geographical coordinates (to nearest second). If mounted on element of an AM array, specify coordinates of center of array. Otherwise, specify tower location. Specify South Latitude or East Longitude where applicable; otherwise, North Latitude or West Longitude will be presumed.

Latitude	34°	52'	44"	Longitude	118°	16'	07"
----------	-----	-----	-----	-----------	------	-----	-----

Is the supporting structure the same as that of another station(s) or proposed in another pending application(s)?

☐ Yes ☒ No

If Yes, give call letter(s) or file number(s) or both.

If proposal involves a change in height of an existing structure, specify existing height above ground level including antenna, all other appurtenances, and lighting, if any.

Not applicable

SECTION V-B - FM BROADCAST ENGINEERING DATA (Page 2)

4. Does the application propose to correct previous site coordinates?
If Yes, list old coordinates.

☐ Yes ☒ No

Latitude ° ' "	Longitude ° ' "
-------------------------------------------------------------------------	--------------------------------------------------------------------------

5. Has the FAA been notified of the proposed construction?

☒ Yes ☐ No

If Yes, give date and office where notice was filed and attach as an Exhibit a copy of FAA determination, if available.

Western-Pacific Regional
Hawthorne, California

Exhibit No.

Date February 20, 1991 Office where filed _____

6. List all landing areas within 8 km of antenna site. Specify distance and bearing from structure to nearest point of the nearest runway.

Landing Area	Distance (km)	Bearing (degrees True)
(a) <u>Rosamond Sky Park</u>	<u>5.0</u>	<u>97.5° True</u>
(b) <u>Little Buttes Antique</u>	<u>7.5</u>	<u>190° True</u>
(c) <u>Loyd</u>	<u>4.0</u>	<u>315° True</u>

7. (a) Elevation: (to the nearest meter)

(1) of site above mean sea level; 878 meters

(2) of the top of supporting structure above ground (including antenna, all other appurtenances, and lighting, if any); and 31 meters

(3) of the top of supporting structure above mean sea level [(aX1) + (aX2)] 909 meters

(b) Height of radiation center: (to the nearest meter) H - Horizontal; V - Vertical

(1) above ground 27 meters (H)

27 meters (V)

(2) above mean sea level [(aX1) + (bX1)] 905 meters (H)

905 meters (V)

(3) above average terrain 91 meters (H)

91 meters (V)

8. Attach as an Exhibit sketch(es) of the supporting structure, labelling all elevations required in Question 7 above, except item 7(b)(3). If mounted on an AM directional-array element, specify heights and orientations of all array towers, as well as location of FM radiator.

Exhibit No.
E-1

9. Effective Radiated Power:

(a) ERP in the horizontal plane

3.0 Max. kw (H=) 3.0 Max. kw (V=)

(b) Is beam tilt proposed?

☐ Yes ☒ No

If Yes, specify maximum ERP in the plane of the tilted beam, and attach as an Exhibit a vertical elevational plot of radiated field.

Exhibit No.

_____ kw (H=) _____ kw (V=)

*Polarization

10. Is a directional antenna proposed?

☒ Yes ☐ No

If Yes, attach as an Exhibit a statement with all data specified in 47 C.F.R. Section 78.816, including plot(s) and tabulations of the relative field.

Exhibit No.
E-4

11. Will the proposed facility satisfy the requirements of 47 C.F.R. Sections 78.815(a) and (b)?

☒ Yes ☐ No

If No, attach as an Exhibit a request for waiver and justification therefor, including amounts and percentages of population and area that will not receive 816 mV/m service.

Exhibit No.

12. Will the main studio be within the protected 816 mV/m field strength contour of this proposal?

☒ Yes ☐ No

If No, attach as an Exhibit justification pursuant to 47 C.F.R. Section 78.112K.

Exhibit No.

13. (a) Does the proposed facility satisfy the requirements of 47 C.F.R. Section 78.207?

☐ Yes ☒ No

(b) If the answer to (a) is No, does 47 C.F.R. Section 78.218 apply?

☐ Yes ☒ No

(c) If the answer to (b) is Yes, attach as an Exhibit a justification, including a summary of previous waivers.

Exhibit No.

(d) If the answer to (a) is No and the answer to (b) is No, attach as an Exhibit a statement describing the short spacing(s) and how it or they arose. This application is filed in accordance with Section 73.215 of the Commission's Rules.

Exhibit No.

(e) If authorization pursuant to 47 C.F.R. Section 78.215 is requested, attach as an Exhibit a complete engineering study to establish the lack of prohibited overlap of contours involving affected stations. The engineering study must include the following:

Exhibit No.
E-5

- (1) Protected and interfering contours, in all directions (360°), for the proposed operation.
- (2) Protected and interfering contours, over pertinent arcs, of all short-spaced assignments, applications and allotments, including a plot showing each transmitter location, with identifying call letters or file numbers, and indication of whether facility is operating or proposed. For vacant allotments, use the reference coordinates as the transmitter location.
- (3) When necessary to show more detail, an additional allocation study utilizing a map with a larger scale to clearly show prohibited overlap will not occur.
- (4) A scale of kilometers and properly labeled longitude and latitude lines, shown across the entire exhibit(s). Sufficient lines should be shown so that the location of the sites may be verified.
- (5) The official title(s) of the map(s) used in the exhibit(s).

14. Are there: (a) within 50 meters of the proposed antenna, any proposed or authorized FM or TV transmitters, or any nonbroadcast (except citizens band or amateur) radio stations; or (b) within the blanketing contour, any established commercial or government receiving stations, cable head-end facilities, or populated areas; or (c) within ten (10) kilometers of the proposed antenna, any proposed or authorized FM or TV transmitters which may produce receiver-induced intermodulation interference?

☐ Yes ☒ No

If Yes, attach as an Exhibit a description of any expected, undesired effects of operations and remedial steps to be pursued if necessary, and a statement accepting full responsibility for the elimination of any objectionable interference (including that caused by receiver-induced or other types of modulation) to facilities in existence or authorized or to radio receivers in use prior to grant of this application. (See 47 C.F.R. Sections 73.315(b), 73.316(a) and 73.318.)

Exhibit No.

15. Attach as an Exhibit a 7.5 minute series U.S. Geological Survey topographic quadrangle map that shows clearly, legibly, and accurately, the location of the proposed transmitting antenna. This map must comply with the requirements set forth in Instruction V. The map must further clearly and legibly display the original printed contour lines and data as well as latitude and longitude markings, and must bear a scale of distance in kilometers.

Exhibit No.
E-2

16. Attach as an Exhibit *(name the source)* a map which shows clearly, legibly, and accurately, and with the original printed latitude and longitude markings and a scale of distance in kilometers: Federal Aviation Administration Los Angeles Sectional map

Exhibit No.
E-3

(a) the proposed transmitter location, and the radials along which profile graphs have been prepared;

(b) the 316 mV/m and 1 mV/m predicted contours; and

(c) the legal boundaries of the principal community to be served.

17. Specify area in square kilometers (1 sq. mi. = 259 sq. km.) and population (latest census) within the predicted 1 mV/m contour. (1980 Census Data)

Area 1959.9 sq. km. Population 61,094

18. For an application involving an auxiliary facility only, attach as an Exhibit a map *(Sectional Aeronautical Chart or equivalent)* that shows clearly, legibly, and accurately, and with latitude and longitude markings and a scale of distance in kilometers: Not applicable

Exhibit No.

(a) the proposed auxiliary 1 mV/m contour; and

(b) the 1 mV/m contour of the licensed main facility for which the applied-for facility will be auxiliary. Also specify the file number of the license.

19. Terrain and coverage data *(to be calculated in accordance with 47 C.F.R. Section 73.313)*

Source of terrain data: *(check only one box below)*

☐ Linearly interpolated 90-second database ☒ 7.5 minute topographic map

(Source: _____)

☐ Other *(briefly summarize)*

ROSAMOND RADIO, INC.

SECTION V-8 - FM BROADCAST ENGINEERING DATA (Page 5)

Radial bearing (degrees True)	Height of radiation center above average elevation of radial from 8 to 16 km (meters)	Predicted Distances	
		To the 816 mV/m contour (kilometers)	To the 1 mV/m contour (kilometers)
"			
0	- 5.4	7.4	13.3
45	+ 92.6	13.3	23.4
90	+142.6	16.2	28.5
135 **	+192.2	17.7	30.8
180	+171.1	17.9	31.0
225	+140.7	16.1	28.5
270	+ 84.6	12.8	22.3
315	- 93.1	7.4	13.3

*Radial through principal community, if not one of the major radials. This radial should NOT be included in the calculation of HAAT. **Directional antenna proposed. Contours at 135° based on effective radiated power of 2.27 KW (3.56 dBk). All others: 3.0 KW (4.77 dBk).

20. Environmental Statement/See 47 C.F.R. Section 1.1301 et seq.)

Would a Commission grant of this application come within Section 11807 of the FCC Rules, such that it may have a significant environmental impact? ☐ Yes ☒ No


If you answer Yes, submit as an Exhibit an Environmental Assessment required by Section 11811.

Exhibit No.

If No, explain briefly why not. Propose an antenna supporting structure of only 31 meters height above ground in an area requiring no special environmental considerations. See also EXHIBIT E-5.

CERTIFICATION

I certify that I have prepared this Section of this application on behalf of the applicant, and that after such preparation, I have examined the foregoing and found it to be accurate and true to the best of my knowledge and belief.

Name (Typed or Printed) Milan Leggett	Relationship to Applicant (e.g., Consulting Engineer) Technical Consultant
Signature 	Address (Include ZIP Code) P. O. Box 1338 Hesperia, CA 92345
Date February 20, 1991	Telephone No. (Include Area Code) (619) 247-6142

SECTION VI - EQUAL EMPLOYMENT OPPORTUNITY PROGRAM

1. Does the applicant propose to employ five or more full-time employees?

☒ Yes ☐ No

If Yes, the applicant must include an EEO program called for in the separate Broadcast Equal Employment Opportunity Program Report (FCC 898-A).

See Exhibit VI-A

SECTION VII - CERTIFICATIONS

1. Has or will the applicant comply with the public notice requirement of 47 C.F.R. Section 73.3580?

☒ Yes ☐ No

2. Has the applicant reasonable assurance, in good faith, that the site or structure proposed in Section V of this form, as the location of its transmitting antenna, will be available to the applicant for the applicant's intended purpose?

☒ Yes ☐ No

If No, attach as an Exhibit, a full explanation.

Exhibit No.
DNA

3. If reasonable assurance is not based on applicant's ownership of the proposed site or structure, applicant certifies that it has obtained such reasonable assurance by contacting the owner or person possessing control of the site or structure.

Name of Person Contacted Bill Huth

Telephone No. (include area code) 805-256-2471

Person contacted: (check one box below)

☒ Owner ☐ Owner's Agent ☐ Other (specify)

The APPLICANT hereby waives any claim to the use of any particular frequency as against the regulatory power of the United States because of the previous use of the same, whether by license or otherwise, and requests an authorization in accordance with this application. (See Section 304 of the Communications Act of 1934, as amended.)

The APPLICANT acknowledges that all the statements made in this application and attached exhibits are considered material representations, and that all exhibits are a material part hereof and incorporated herein.

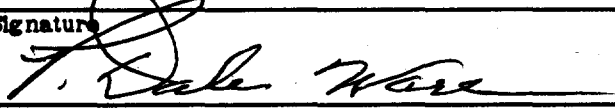
The APPLICANT represents that this application is not filed for the purpose of impeding, obstructing, or delaying determination on any other application with which it may be in conflict.

In accordance with 47 C.F.R. Section 1.65, the APPLICANT has a continuing obligation to advise the Commission, through amendments, of any substantial and significant changes in information furnished.

SECTION VII - CERTIFICATION (Page 5)

WILLFUL FALSE STATEMENTS MADE ON THIS FORM ARE PUNISHABLE BY FINE AND IMPRISONMENT.
U.S. CODE, TITLE 18, SECTION 1001.

I certify that the statements in this application are true and correct to the best of my knowledge and belief, and are made in good faith.

Name of Applicant Rosamond Radio, Inc.	Signature 
Date 2-21-91	Title President

FCC NOTICE TO INDIVIDUALS REQUIRED BY THE PRIVACY ACT
AND THE PAPERWORK REDUCTION ACT

The solicitation of personal information requested in this application is authorized by the Communications Act of 1934, as amended. The principal purpose for which the information will be used is to determine if the benefit requested is consistent with the public interest. The staff, consisting variously of attorneys, analysts, engineers and applications examiners, will use the information to determine whether the application should be granted, denied, dismissed, or designated for hearing. If all the information is not provided, the application may be returned without action having been taken upon it or its processing may be delayed while a request is made to provide the missing information. Accordingly, every effort should be made to provide all necessary information. Your response is required to obtain the requested authority.

Public reporting burden for this collection of information is estimated to vary from 71 hours 45 minutes to 301 hours 50 minutes with an average of 118 hours 28 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing the burden, can be sent to the Federal Communications Commission, Office of Managing Director, Washington, D.C. 20554, and to the Office of Management and Budget, Paperwork Reduction Project (3030-0027), Washington, D.C. 20503.

THE FOREGOING NOTICE IS REQUIRED BY THE PRIVACY ACT OF 1974, P.L. 93-579, DECEMBER 31, 1974, 5 U.S.C. 552(a)(3), AND THE PAPERWORK REDUCTION ACT OF 1980, P.L. 96-511, DECEMBER 11, 1980, 44 U.S.C. 3507.

Rosamond Radio, Inc.
Application for Channel
228A, Rosamond, California

EXHIBIT II-A

MEMORANDUM OF AGREEMENT

This Memorandum of Agreement has been entered into by and between P. Dale Ware, Ph.D. ("Dale"), Patricia G. Ware ("Patricia"), and Salvador D. Martinez ("Salvador") to confirm their agreement as to certain matters pertaining to Rosamond Radio, Inc. (the "Corporation").

1. The Corporation shall be authorized to issue 100 shares of voting common stock. Legal and beneficial ownership of the Corporation's stock shall be as follows:

<u>Name</u>	<u>Shares of Stock</u>
P. Dale Ware, Ph.D.	30
Patricia G. Ware	30
Salvador D. Martinez	40

2. The Corporation shall have three directors. Dale, Patricia, and Salvador shall each be a director of the Corporation. Dale shall be the Corporation's President. Salvador shall be the Corporation's Vice President. Patricia shall be the Corporation's Secretary and Treasurer.

3. The Corporation shall make an election under Subchapter S of Chapter 1 of the Internal Revenue Code of 1986 to not be subject to the taxes imposed by that Chapter. Neither the Corporation nor any stockholder shall alter or revoke that election or permit or suffer to exist any situation that would cause a termination of that election to occur, except upon the affirmative vote of stockholders holding at least 80% of the Corporation's stock outstanding at the time of the vote.

4. The Corporation shall apply for and, if authorized, construct and operate a commercial FM radio station in

Rosamond, California. Dale, Patricia, and Salvador shall cooperate with each other in good faith and shall use their respective best efforts to assist in the preparation, filing, and prosecution of the Corporation's application, including without limitation providing pertinent information and documents and, if required, attending and testifying at deposition and hearing sessions in Rosamond, California and/or Washington, D.C. In the event the Corporation's application is granted, each shareholder agrees to work on a full-time basis (i.e., a minimum of 40 hours per week, subject to reasonable sick leave and time off for legal holidays and up to three weeks vacation per year) for the Corporation's radio station. Dale shall be the General Manager; Patricia shall be the Operations Director/Business Manager; and Salvador shall be the Sales Manager/Public Service and Community Affairs Director. Dale, Patricia and Salvador each represent and warrant to the others that he or she is currently in good health, and is not presently subject to any physical impairment, legal obligation, or other commitment that would prevent him or her from complying with the provisions of this paragraph or working at the Corporation's station as contemplated herein.

5. The stockholders agree to make pro rata contributions to the Corporation totalling at least \$100,000.00 in the aggregate. Each stockholder shall contribute the portion of that total amount and of each individual capital call that corresponds to his or her equity interest in the Corporation. Capital calls pursuant to this paragraph must be authorized by the Corpora-

tion's Board of Directors, and shall be due and payable in full on the fifth business day following the date on which the capital call is authorized. All capital contributions made pursuant to this paragraph shall be used exclusively for the payment of fees, costs, and expenses incurred to prepare, file, and prosecute the Corporation's application for the new Rosamond FM radio station and, if that application is granted, to construct and operate the station. Dale, Patricia, and Salvador represent and warrant to one another that they have sufficient assets to enable them to honor capital calls made pursuant to this paragraph.

6. No stockholder may sell, or otherwise transfer or dispose of his or her stock in the Corporation, in whole or in part, except in accordance with and subject to the following provisions, contingent upon receipt of prior FCC consent if required.

(a) If any stockholder (the "Offeror") desires to transfer any or all of his or her Corporation stock to a third party, the Offeror shall first give the other stockholders (the "Offerees") a right of first refusal to acquire those shares.

(b) Any offer to sell made under paragraph 4(a) (the "Offer") shall be in writing and shall state the price, if any, terms, and all other conditions of the proposed transfer, including the name and address of the proposed third party transferee. Upon receipt of the Offer, each Offeree shall have 30 days to inform the Offeror of his or her acceptance or rejection of the Offer. If, after thirty days, the Offeror has not re-

ceived a notice of acceptance in writing, the Offer shall be deemed rejected. If more than one Offeree accepts the Offer, the offered shares shall be allotted among the Offerees in proportion to their respective holdings of the Corporation's stock.

(c) If the Offer is accepted, the offered shares shall be transferred to such Offeree or Offerees for the price and in accordance with the terms and conditions of the Offer. If the Offer is rejected, the Offeror may transfer all (but not less than all) of the offered shares to the proposed third-party transferee for the price and in accordance with the terms and conditions of the Offer, provided the transferee shall agree in writing to be bound by the terms of this Memorandum of Agreement with respect to such shares. The Offeree may not transfer the offered shares to any other person, for any other price, or upon any other terms and conditions without once again offering those shares to the Offerees as provided in this Memorandum of Agreement.

(d) The right of first refusal set forth in this Memorandum of Agreement shall not apply to any transfer of shares to a stockholder's spouse or children, or to the transfer of a bankrupt, deceased, or incompetent stockholder's shares to the trustee, executor, administrator or guardian of that stockholder's estate, but shall apply to subsequent transfers of those shares by a spouse, child, trustee, executor, administrator, or guardian to the same extent that, under the circumstances, such right would have arisen had the particular transfer in question

been proposed by the stockholder who originally owned those shares.

7. In the event any stockholder materially breaches his or her obligations under this Memorandum of Agreement, including without limitation his or her obligations under paragraph 4, 5, or 6, and such breach has not been cured within 30 days after the breaching stockholder receives written notice thereof, then the other stockholders shall have the right and option to acquire all of the breaching stockholder's stock in the Corporation for a cash purchase price equal to the sum of (i) the price initially paid by the breaching stockholder to acquire his or her stock plus (ii) all capital contributions theretofore made by the breaching stockholder to the Corporation pursuant to paragraph 5 of this Memorandum of Agreement. If a non-breaching stockholder desires to exercise the option to acquire the breaching stockholder's stock, he or she shall so advise the breaching stockholder in writing within 5 days after the expiration of the 30-days cure period granted to the breaching stockholder. If more than one non-breaching stockholder duly exercises such option, the breaching stockholder's stock, and the responsibility for paying the purchase price therefor, shall be allotted among such non-breaching stockholders in proportion to their respective holdings of the Corporation's stock. Subject to receipt of any necessary prior FCC consent, the purchase of the breaching stockholder's stock shall take place on the tenth business day following the expiration of the 30-day cure period granted to the